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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11/05/98
11/05/98
JCS60 U.S. PTO

In re Application of: Alvarez et al.

Application No.: 09/079,678

Filed: May 15, 1998

Examiner: To be assigned

Application Processing Division

For: RANDOM PEPTIDES THAT BIND TO
GASTRO-INTESTINAL TRACT (GIT)
TRANSPORT RECEPTORS AND RELATED METHODS
Group Art Unit: 1654
Attorney Docket No.: 1101-220

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application, Filing Date Granted, which was mailed on June 16, 1998 (a copy of which is attached hereto), Attorneys for Applicant respectfully submit herewith an original Declaration executed by the inventors in two counterparts: (1) an original counterpart Declaration and Power of Attorney executed by the inventors, Vernon L. Alvarez on August 3, 1998, John M. Carter on August 14, 1998, Judith Singleton on August 14, 1998, and Benjamin A. Belinka, Jr. on August 24, 1998 and (2) an original counterpart Declaration and Power of Attorney executed by the inventors, Daniel J. O'Mahony, Imelda J. Lambkin, and Catherine A. Patterson on August 5, 1998 and Gerard M. Cagney on August 10, 1998. It is requested that the Declaration be entered in the file of the above-identified application.

The fee required to be filed with the accompanying Declaration and Power of Attorney has been estimated to be \$130.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

The time set for response to the Notice to File Missing Parts is August 16, 1998. A Petition for Extension of Time for three (3) months, up to and including November 16, 1998 is submitted herewith.

Respectfully submitted,

Date November 5, 1998

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/079,678 05/15/98 ALVAREZ V 1101-220

020583 0222/0616

PENNIE EDMONDS

NOT ASSIGNED

1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

1654

DATE MAILED:

06/16/98

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

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01 FC:105 Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

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